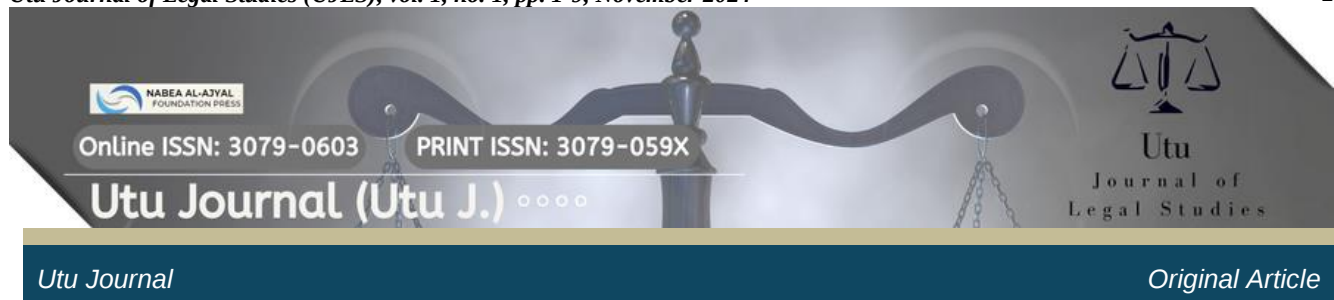




Reforming Criminal Justice: Evaluating the Impact of Restorative Justice Practices on Recidivism Rates

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Abstract: To enhance public safety and reduce recidivism by addressing the needs of crime victims and the community, the purpose of this study is to evaluate whether restorative justice practices reduce recidivism for individuals from juvenile and adult court systems. Specifically, the effect of the following restorative justice practices will be examined for their impact on reoffending rates: victim-offender mediation, family group conferencing, peacemaking circles, restorative circles, repair of harm circles, and indigenous circles. This study will also look at the impact of varying contexts and characteristics of restorative justice practices (e.g., timing, voluntary vs. involuntary participation, follow-up with law enforcement/abuse prevention plans) on recidivism rates. Though there have been numerous studies published within the past fifteen years, additional review and meta-analysis of studies evaluating the impact of restorative justice practices on recidivism rates is warranted.



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Keywords:

Justice Practices, Restorative Justice, Recidivism Rates

1. Introduction

The traditional Western approach toward dealing with crime centers on punishing offenders rather than repairing the harm caused by their behavior. Offenders are branded or labeled as criminals, removed from society, and subjected to prescribed sentences that need not have any constructive or rehabilitative content. Restorative justice is a radically different approach toward crime. It seeks to shift the focus away from the crime and the offender to the victim, and is primarily concerned with putting things as right as possible again. Restorative justice typically includes at least three key elements: a need to confront the offender, a need for information about the crime, and a need for the resulting harm or loss to be repaired. Restorative justice is concerned

with a plurality of harms, not just those that are legally recognized (Waizani, 2015).

Restorative justice claims to represent an alternative to the formal criminal justice process. Its basic premise is that crime represents a rupture in the social fabric and that it is necessary to bring the three parties involved in the crime, i.e. the victim, the offender, and the community, into dialogue so that they may address the crime together. In this way, the wounds caused by the crime may be healed, the outsider status of the offender reintegrated into the community, and future conflicts resolved peacefully. A restorative approach to crime comprises a broader set of principles that may underpin more formal practices such as family group conferencing or peacemaking circles (Berlinger, 2014). Restorative justice principles are twofold: on the one hand there are restorative practices that take place relatively informally and outside the criminal justice framework (conferences between offenders and victims that take place

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without the mediation of any lawyer, peacemaker societies within indigenous communities, etc.); on the other hand, restorative justice practices may be formalized within the context of criminal law (conferences that take place within the justice system, with the help of officials, negotiation of agreements, etc.).

1.1 Background and Rationale

The criminal justice system is in dire need of reform. More individuals are imprisoned in the United States than any other country in the world. The most troubling fact about the high incarceration rates is not that the United States has 5% of the world population, but that 23% of the world's prisoners reside in the U.S. Locking up people for long periods of time is not crime control. More than half of the individuals released from prison will be rearrested, convicted, or reincarcerated in three years. Two-thirds of individuals have being rearrested, convicted, or reincarcerated in five years. The systems put in place to contain most habitual offenders in the justice system will ultimately cost taxpayers \$100 billion a year. With that cost comes more victims from crime, more strained law enforcement agencies, and many human lives ruined because of a fatally inefficient system. After large costs to imprison individuals for longer periods of time, it has been shown to not deter offender activities in the slightest. With such overwhelming and proven failures of a mendacious system, it is surprising that other routes have not been more widely explored to improve outcomes and prevent future crime.

In 1994, only six states had laws allowing the use of victim-offender reconciliation measures in criminal justice. Now, over 30 states have passed legislation allowing variations of restorative justice practices within the criminal justice system. A variety of successful community practices from around the world exist that create a new avenue of thinking about crime, justice, and their resolutions. However, if restorative justice is merely added to the measures already on the table, there will be minimal chances of real progress. It is vital to develop the appropriate practices and strategies that capture the complexities of human life, relationships, values, and societal context. The use of innovative, sustainable, and relational practices is crucial to real community peacebuilding that can have a dramatic and multifaceted impact on all levels of a democracy.

1.2 Research Aim and Objectives

Restorative justice has been defined as a “just response to wrongdoing that focuses on the needs of those who are affected by the wrongdoing as opposed to a focus on rules and the state of law” (Waizani, 2015). There are five key principles of restorative justice:

- Causes, motivations, and effects of crime;
- Repairing harm caused to victims and the community;

- Holding offenders accountable and providing opportunities for rehabilitation;
- Needs, problems, roles, and obligations; and
- Involvement of all parties in the response to the wrongdoing.

Furthermore, restorative justice practices can incorporate different approaches in handling crime (e.g., education, problem-solving, cooperation, as opposed to punishment). There are many different types of restorative justice practices that vary in terms of goals and procedures. Victim-offender mediation involves a meeting between the offender and victim to work toward repairing the harm caused by the offence, with a trained mediator as an intermediary. Family group conferencing is a meeting between the victim, offender, and their families with an independent facilitator to discuss the harm caused and how to repair it. Peacemaking circles involve the victim, offender, and community representatives in a meeting with a circle keeper to discuss the offence, its effect on the community, and ways to repair the harm. Other practices include repair of harm circles, which involve the parties discussing how to address the harm caused by the offence, and indigenous circles, which are designed and facilitated by members of the indigenous community with an approach specific to each community. Restorative justice practices can take place at various stages in the justice process, whether prior to arrest, post-arrest/pre-conviction, post-conviction but prior to sentencing, or after sentencing.

2. Theoretical Framework

The theoretical framework establishes the theoretical underpinnings that inform the approach to evaluating restorative justice practices and their impact on recidivism rates. The framework begins with an exploration of the principles of restorative justice and the underpinning theoretical approaches. This is followed by an analysis of recidivism and its implications within this framework. The discussion highlights the complexities of data analysis and measurement within the context of restorative justice, while also considering the challenges related to the interpretation of findings (Waizani, 2015). The framework therefore maps the background to the subsequent discussion by establishing the theoretical lens through which the topic is examined.

2.1 Restorative Justice Principles and Theoretical Broader Approach

Restorative justice is defined in terms of principles that underpin its approach to crime and other forms of wrongdoing. Restorative justice is defined in terms of the principles that underpin its approach to crime and other forms of wrongdoing. Despite differences in the design and execution of restorative practices, this general understanding is agreed on by many researchers and practitioners (Ajiboye, 2017). Restorative justice is

considered immediately in order to frame the discussion and clarify its use of terminology.

Restorative justice principles include a focus on harm; a focus on the needs of victims, offenders, and communities rather than on law breaking; the involvement and participation of victims, offenders, and other stakeholders; and voluntary and consensual processes that reduce coercion. Other key principles include fair and equitable processes; the support and empowerment of the most disadvantaged and marginalized; respect for people, their dignity, and their worth; and the provision of a range of reparation processes rather than a narrow focus on financial compensation. Restorative justice processes are also noted to have non-punitive and non-violent aims and a significantly broader view of justice.

2.2 Recidivism and its Implications

Recidivism is examined in view of its meaning and implications in the context of restorative justice theory and practice. Recidivism refers primarily to the commission of subsequent offences following an initial offence. It can also refer to further participation in cannabis use following an initial use of cannabis. Each of these concepts may convey a range of different ideas regarding a system, substance, act, and/or event. There is a type of idea associated with each concept and a whole range of very different systems, substances, acts, and/or events that embody the type of idea conveyed by the concept. The concepts, therefore, reflect a wide range of ideas regarding afterwards and the implications of this for measurement and analysis in restorative justice.

2.3 Restorative Justice Principles

Restorative justice rests on certain core ideals (or concepts), which draws on a broader restorative model of justice. Some core concepts include harm, obligations, and engagement. Since the concept of harm is the center of restorative justice as shown in Fig. 1, it is conceptually distinct from the concepts of 'offense' or 'crime'. The cypher and ire concepts, 'offense' and 'crime', limit the discussion to legalistic rights and responsibilities, focusing attention on the violation of law (Gabbay, 2005). In contrast, the starting point of the restorative concept, 'harm', moves to the extra-legal dimensions of the injury, loss, damage, and suffering. All criminal offenses have first and foremost emotional, psychological, social, and physical consequences; much of which cannot be captured by a legalistic notion. In restorative justice, immediately after the offense has occurred, a legitimate concern is raised regarding the effect of the offense on the victim, the offender, and the community. Thus, the starting point of restorative justice is the effort to recognize, clarify, and acknowledge all aspects of harm done, not only from a legalistic perspective (broadly encompassing) but extra-legally as well (narrowly focused). Once harm, broadly defined, has been established, obligations arise the obligation to repair the harm done is a recognition that a

moral debt has been created. Faced with the acknowledgment of the harm done, as well as the moral obligations arising from it, the offender and the community must engage with the victim and take responsibility for offering reparation (Ajiboye, 2017).

2.4 Recidivism and its Implications

Recidivism, defined as the tendency of a convicted criminal to reoffend (Paulson, 2013), remains a subject of substantial concern in the criminal justice community. It is estimated that, within three years of release from prison, the majority of individuals (nearly two-thirds) are arrested again. Recidivism poses multiple implications, both in the life of the individual and beyond him. After having already been labeled as a criminal, it becomes exceedingly difficult for individuals to attain gainful employment or other means of legitimately supporting themselves.

This perpetuates the cycle of crime; as a result, social ills such as poverty and substance abuse increase amongst those already disregarded by society. Reoffending behavior generally has severe implications for the greater community as well. Gang warfare involving disputes over drugs and territory often leads to violence that harms many innocent bystanders, is costly in terms of police intervention, and negatively contributes to a neighborhood's overall quality of life (McMasters, 2015).

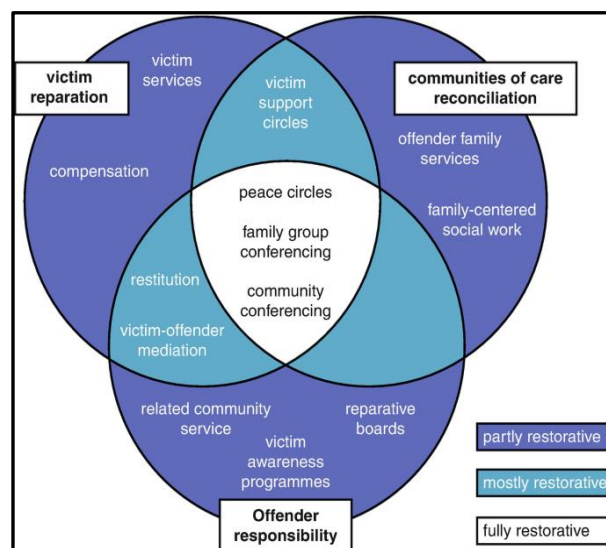


Figure 1. Restorative justice and state crime

Methods employed by the criminal justice system to reduce reoffending behavior typically fall into one of two approaches: punitive or rehabilitative. Punitive approaches are those that offer no rehabilitation to incarcerated individuals. Three-year recidivism rate estimates in states with upwards of 85% incarceration rates range from 34% to 40% for individuals released from prison. In contrast, rehabilitative programs utilize various approaches in order to alter the behavior of convicted criminals in an effort to prevent their repeated incarceration. With an overall three-

year recidivism rate of 16% to 23% for those who completed residential aftercare, it appears that this approach is much more effective.

3. Methodology

This paper examines the impact of restorative justice practices on recidivism rates among adult offenders. The study aims to answer the primary research question: How do restorative justice practices affect recidivism rates? Furthermore, it seeks to address secondary questions regarding the impact of victim-offender mediation, family group conferencing, community service, and restorative circles on reoffending. The research employs a systematic review methodology using the PRISMA framework to evaluate quantitative studies published since 2000. A total of 16 articles were analyzed to assess the effect of restorative justice practices on reoffending rates. A general coding scheme was utilized to categorize the features of traditional and restorative justice practices, as well as potential moderating variables as shown in Fig. 2.

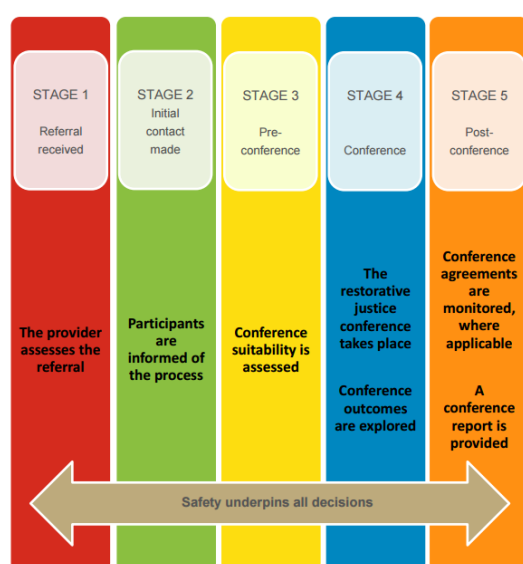


Figure 2. Crime prevention & criminal justice module

A quasi-experiment was conducted within the quantitative studies reviewed, comparing recidivism rates among offenders who participated in restorative justice with those who did not. The program types examined include mediation, conferencing, and circles, taking place in community and correctional settings. The statistical methods used to assess the effectiveness of restorative justice practices were also reviewed. Descriptive statistics and tests for publication bias were conducted. To control for significant moderators, several statistical techniques were employed. The results of the meta-analyses are provided in detail. In addition, the moderator analyses and their results are presented. The study concludes with a general discussion of the findings and implications for continued research on restorative justice practices.

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3.1 Research Design

The research design involves the specific design for the analysis of the chosen methods and/or data set, informing the structure and comprehensive outline of the investigation conducted in answering the research questions. The research design is paramount in understanding the framework within which the study was carried out and the manner in which data was obtained to enable and support the analyses to be performed subsequently (Crowley-Ames & McNeal, 2003). In preparing this section, the philosophy of science with regard to qualitative and mixed methods research is first addressed. The preferred approach is then elucidated, and the types of research methodology are specified along with reasons for their selection and for eschewing of other methods. The data, analysis, and questions of validity are presented and discussed.

This study is an evaluation of the impact of restorative justice practices in schools on recidivism rates. Restorative justice practices focus on repairing the harm caused by crime, rather than punishment (Cama, 2019). Following preliminary interviews of school personnel familiar with the restorative justice program, a controlled pre- and post-test design was developed to evaluate the program. A 2×3 Analysis of Covariance (ANCOVA) was performed with baseline recidivism rates controlling for the implementation of restorative practices (RJ and Traditional Discipline schools). The post-test included school recidivism rates for 3 years following the implementation of restorative practices. The results indicate that restorative justice programs reduced recidivism rates significantly more than Traditional Discipline practices.

3.2 Data Collection Methods

Employed in this study to obtain data for analysis: survey designs and secondary sources of data. The design of the survey is composed of close-ended questions in which respondents were required to select one option based on a Likert-type scale of 1 to 5 (1 = Strongly Disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, and 5 = Strongly Agree). The surveys are mixed-method in nature, containing both quantitative and qualitative data, including demographic information and categorizing data. The survey is divided into four comprehensive sections designed to elaborate on the objectives of the survey by answering the research questions in-depth. After focusing on the victims' and offenders' perspectives, the last section regards participants' demographic information such as age, gender, level of education, marital status, and number of children, occupation, income, and prior experience with the criminal justice system. These variables ascertained transparency regarding the survey sample and relevance to understanding the samples reported data.

The survey was designed in accordance with the best practices of survey designs, including data validation of the instruments and pilot testing. Personal interviews were conducted with five participants with similar backgrounds to the survey sample regarding age and gender to illicit their

feedback. All feedback provided the basis for necessary revisions before launching the final version of the survey. The broader understanding gained from qualitative data also informed the framing of the quantitative data. Based on a review of literature, qualitative data with “yes” or “no” questions were rephrased in Likert-type scale data with the intent to lessen bias. Attention was given to ensure the respectful tone remained consistent with the underlying rationale of the question. An ethical review of the survey was submitted and approval was granted prior to launch. The survey was made available online through SurveyMonkey for one month, after which the results were exported to an Excel worksheet for analysis. With the intent of encouraging participation and exhibiting respect for the participants’ perspectives, all survey respondents were entered into a draw for a \$50 gift card.

4. Literature Review

The literature review section analyzes the basic scholarly works that are most relevant to the topic being researched, while also considering important historical developments that are important to understanding the contemporary scholarly conversation. To accomplish this, the evolution of restorative justice is discussed, followed by exploration of various restorative justice practices and their outcomes. Previous research and theoretical perspectives are synthesized to explain how they frame of a scholarly lens for the research focus of this study.

Restorative justice can be understood as a general framework for the transformation of social relations that have been disrupted by crime or wrongdoing, which many believe warrants a public response (Berlinger, 2014). This body of critical conversation examines this original notion of restorative justice as well as the various expressions and understandings of restorative justice that have emerged together with its development as a field of scholarly and practitioner inquiry over the past 30 years. Important practical variants, tributary practices, and models that presently have currency that fall broadly under the restorative justice umbrella have developed and variously moved in different directions, as different expressions of restorative justice have been replicated, appropriated, and adapted in the face of a number of challenges. It also discusses what has been learned about restorative justice since its inception, not all of which is positive and, in some cases, raises some concerns. Reflexively contemplating the evolution of restorative justice as a movement is believed to hold important lessons for similar movements. How should positive processes of evolution be nurtured in new restorative justice initiatives, and how can potentially negative ones be avoided? These concerns bear asking given the vulnerability of emerging social movements to “co-optation” and corruption (Wood & Suzuki, 2016).

4.1 Historical Evolution of Restorative Justice

In tracing the historical roots of restorative justice it seems appropriate to begin with its most ancient forms, describing how mediation and other such practices can be observed in many traditional justice systems throughout the world, as well as the moral philosophies that underpin them (Waizani, 2015). It is then necessary to provide an overview of how and why restorative justice fell out of favor with the development of state justice systems leading to a descriptive account of the modern emergence of restorative justice practices in New Zealand and subsequently other countries. This overview should enable practitioners to better understand the context within which these practices have developed as well as shedding light on the potential consequences of their implementation or indeed non-implementation in their particular context.

Though ancient forms of restorative justice have enjoyed various degrees of success, they fell out of favor with the advent of state control over ‘justice’ in modern times. State systems established a monopoly over legal matters and offered an alternative of punishment rather than reparation to victims. That monopoly has been increasingly contested since the 1960s. Essentially, it is the centrality of state interest in crime and justice that has precluded traditional practices from continuing in modern context. The modern emergence of restorative justice, post-1970s, was, in that sense, ‘neo-traditional’ (Van Camp & Wemmers, 2013). The practices had no direct connection to their historical antecedents. Rather, they sought to recreate the values, feelings and relationships that underpinned the ‘traditional’ practices in a post-modern context. The practices and values underpinning them are simple in them and gained immediate popular traction. Utilizing the co-operative dispute resolution mechanisms of traditional justice systems such as mediation, conferencing and circles, restorative justice offers reparation rather than punishment to victims and offenders as well as a greater involvement of, as well as benefits to, the wider community.

5. Empirical Findings

The empirical findings are presented in this section of the papers, focusing specifically on studies that investigate the relationship between restorative justice and recidivism, thus answering the relevant sub-question. The findings here constitute the culmination of the undertaken research effort by providing empirical evidence investigating an evaluation of restorative justice practices on recidivism. Restorative justice is concerned with the needs of victims, offenders and the community as well as the need to hold offenders to account. Restorative justice brings together the people affected by a crime to discuss what happened and how they have been affected. The aim is to find a resolution that meets the needs of all. This article gives an overview of nine studies investigating the effectiveness of restorative justice

conferencing in the early stages of the national roll-out of restorative justice. Five studies provide an overview of the numbers of alleged offenders offered and who offended. Implementation studies indicate problems in introducing restorative justice conferencing. Studies find that perceptions of equity and involvement affect re-offending with additional support for the meeting-need hypothesis. Restorative justice has been critiqued as a set of practices embedded in ideologies that justify sanctioning others, maintain the status quo and confer power and privilege on certain groups within society. Research was undertaken with practitioners and victims to explore whether restorative justice undermines its own ethos similar as retributive justice has been accused of doing. Concern was raised that if restorative justice practices become institutionalized, practitioners may lose sight of the ethos underpinning restorative practices (Waizani, 2015).

The research findings indicate that there is a range of factors amongst practitioners which either serve to reinforce or undermine restorative principles within their work, however the majority of practitioners actively engage in processes to mitigate the perverse consequences of their involvement within a wider criminal justice system. The methodology adopted underpins the empirical value of the research, ensuring in-depth understanding of beliefs and experiences from the standpoint of the practitioners themselves. Research findings are presented with a critical distance from the theoretical framework of restorative justice (Papadopoulos, 2023). The majority of practitioner and victim groups are actively aware of the dilution of the principles and ethos underpinning restorative justice, as pioneered by early practitioners and theorists including Braithwaite, Zehr and Marshall et al. Development is seen as both providing opportunities for restorative justice practices not otherwise available, and similarly contributing to its dilution. Empirical data indicate a broad spectrum of restorative justice practices across countries, with geographical and institutional contexts affecting the adherence to principles.

5.1 Studies on Restorative Justice and Recidivism Rates

A total of eight studies were examined in relation to restorative justice practices and their impact on recidivism rates, with the first four focused on studies outside of the United States and was predominantly exploratory meta-analysis studies. The final four studies focused on restorative justice programs and their effect on recidivism rates of juvenile delinquents in the United States. Out of the studies selected, no definitive impact on recidivism was established, leaving a gap in the research. Nonetheless, common trends from the studies were noted and discussed (McMasters, 2015).

Restorative Justice and Recidivism: Investigating the impact of victim-preference for level of engagement. While there seems to be an increasing movement towards the implementation of restorative justice programs, particularly

in the realm of adult, serious and/or violent crime, it is important to evaluate the effects these programs have on offending behaviors as shown in Fig. 3. This study investigated whether the provision of choice to victims over the level of engagement they had with restorative justice initiatives was linked to better outcomes in terms of recidivism. The expected risk for reconviction was calculated for all offenders and then compared to actual reconviction rates (Papadopoulos, 2023).

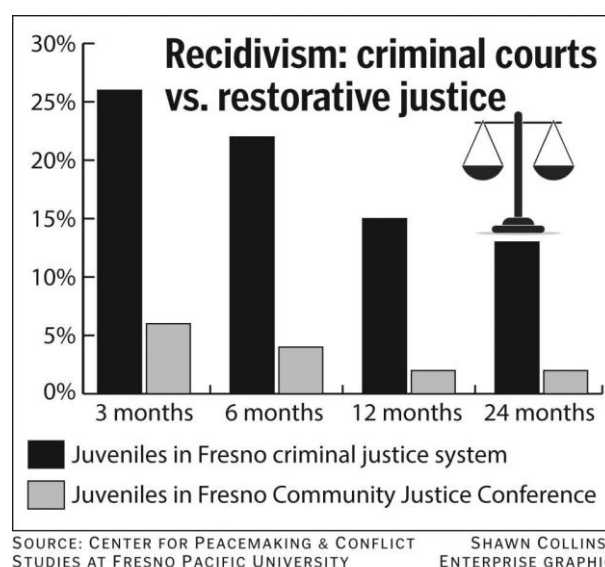


Figure 3. Restorative justice

It was hypothesized that in cases where victims chose to participate in a restorative justice conference, offenders would have a lower actual reconviction rate than the expected risk for reconviction. Additionally, it was expected that in cases where victims chose not to engage with RJ, offenders would have a higher actual reconviction rate than the expected rate. The results of this study demonstrated that, overall, the provision of choice to victims did influence the reconviction outcomes for offenders, as offenders who participated in the conference process had significantly lower recidivism rates than those who did not. This analysis of outcomes in terms of reconviction adds a new dimension to the body of work on RJ and is an important evaluation for the RJ scheme in the UK.

Studies on Restorative Justice and Recidivism Rates. There is a growing interest in how juvenile offenders are dealt with after they have been found guilty of a crime. The criminal justice system, particularly in the United States, has long been one of punishment, rather than rehabilitation. With more emphasis and understanding of the negative long-term impacts of incarceration, there have been many calls for reformation of the juvenile justice system, and debates over how to decrease recidivism rates have emerged. Options such as more rehabilitative programs in secure detention facilities to prevent further crime to less punitive options such as diversion from court are being explored. All restorative justice practices in this particularly targeted

crime category allow offenders a chance to have a say, explain, apologize or take ownership of their actions. Victims had a chance to set the record straight, be informed, have questions answered, receive an apology, and so forth. All these practices fall under the title of restorative justice, but there are different types of practices, some being more formal than others. The most formal is a victim-offender conference where all parties meet, facilitated by a trained mediator and all aspects of the crime are discussed. Amendment to the crime is sought and agreed upon between the parties.

Effective Strategies for Preventing Recidivism among Juveniles. The juvenile delinquency problem confronting the United States today is not unique; many countries throughout the world deal with similar issues. Children and adolescents bring with them a different set of needs, problems and concerns compared to adults. Furthermore, many juvenile offenders were neglected or abused, or lived in poverty stricken areas, gangs, high crime rate neighborhoods or other conditions not conducive to healthy upbringing. Children often live in an unhealthy environment, which affects their ability to function as productive members of society. This, in turn, can cause juvenile delinquency and continued offending as the juvenile becomes an adult.

6. Discussion

The discussion analyzes the empirical findings to interpret and draw meaningful results. This discusses what the results mean, how they relate to what was expected and to earlier concepts, and their implications. The analysis in this section should be more comprehensive than in the results section. Direct quotes may be used, but they should not be relied on. This proposes ways to more fully understand and improve the work.

The research aimed to evaluate the impact of restorative justice practices on recidivism rates by analyzing three pioneering studies from Minnesota, Delaware, and Maryland. These studies assessed different restorative practices such as circle sentencing, family group conferencing, community mediation, and victim-offender dialogues across several offenses including property crimes, drug-related offenses, domestic violence, and juvenile offenses. The outcome measures predominantly relied on arrest information (recidivism rates) obtained through state criminal databases (Paulson, 2013). Overall, the abovementioned studies found a significant reduction of the recidivism effects for restorative justice practices based on 4084 offenders and controlling for over 251 variables. In total, the statistically significant effects of restorative justice practices on recidivism rates have led to an impressive reduction of the odds of recidivism by at least 29% based on these studies 3. However, the magnitude of the recidivism effects is various across studies and follow-up time periods of four years or longer (Minnesota) and one year (Maryland).

6.1 Interpretation of Findings

A specific focus is placed on the interpretation and analysis of the empirical findings within the broader context of restorative justice, its evolution over time, and its implications for recidivism. This knowledge offers valuable interpretations and insights derived from this empirical research. Restorative justice (RJ) has been slowly growing in popularity since the 1970s, with notable legislation in the 1990s and 2000s in many parts of the world. As an alternative approach to crime, RJ seeks to address harms caused by crimes (Waizani, 2015). RJ focuses on repairing the harm caused by the crime, instead of solely punishing the offender, and brings together all parties affected by the crime to engage in a dialogue about how best to repair that harm (Ajiboye, 2017). RJ is emerging as a new way of thinking about and responding to crime, focusing on crime as a violation of people and interpersonal relationships. RJ aims to promote a better understanding of the social context within which the crime is situated. RJ has roots in Aboriginal and First Nations practices of justice and conflict resolution that date back centuries.

RJ is a paradigm shift in thinking about the causes of and responses to crime. In many cultures, crime was considered a violation of social peace that required the active involvement of all stakeholders to be repaired. However, with the advent of modern state-run judicial systems, a new conceptualization of crime emerged in the western world. Crime was regarded as a violation of the law, which is a matter strictly between the state and the offender. This approach neglected the needs of the victims and communities and reduced them to passive onlookers of the entire process. The state's monopoly over the resolution of crime denied to victims the right to determine how their grievances would be responded. In order to put these views into action, numerous programs based on RJ perspectives have been implemented. Generally, RJ programs may be classified as informal and formal.

6.2 Implications for Policy and Practice

The impact of restorative justice practices on recidivism rates is of increasing interest globally, particularly following calls for the reform of criminal justice systems to reduce high rates of reoffending and incarceration. Alongside this, there is increased recognition that current criminal justice systems are failing to appropriately deal with the harm caused to victims following crime. Most countries have court-based or police-run diversionary programs for young or first-time offenders that offer to dispose of charges in exchange for undertaking conditions such as good behavior or attending educational programs. Recent developments have seen these programs adapted to offer family group conferencing as an alternative method for dealing with youth offenders. This systematic review examined the current academic literature on the impact of these restorative diversionary practices on recidivism rates.

The findings suggest that restorative diversionary practices generally have a limited impact on recidivism rates

when controlling for court-based alternatives. Furthermore, where restorative diversionary practices appear to reduce recidivism rates, this specifically relates to conferencing practices for youth offenders. However, methods employed across the studies tend to be limited, and the body of evidence remains relatively modest overall. The findings are discussed in the context of enhancing research methodologies and understanding the theoretical relationship between restorative diversionary practices and reoffending rates. The potential of these programs to reduce harm to victims and the effectiveness of diversionary practices in meeting the broader goals of the justice system are also considered (Ajiboye, 2017).

7. Conclusion

The research presented in this study sought to examine the existing literature on restorative justice practices and evaluate the impact of these across differing populations in relation to recidivism. Significant results were found for victim-offender mediation programs and in regards to offender pre-conference letters. Limitations in this study surfaced regarding the differences in methodology across evaluation studies, the decision to analyze only published research, and the lack of access to potential “grey literature” evaluation studies. Future research directions should include more rigorous studies on innovative, emerging restorative justice practices, exploring the differing impacts of these programs and practices across various populations beyond the quantitative metric of recidivism, and making all possible efforts to disseminate the results of these studies to practitioners and policy-makers.

The second component of this study aimed to provide a full, thorough evaluation of one specific restorative justice practice, Circle Sentencing. The results of this evaluation found that Circle Sentencing appears to have significantly positive effects on participant perceptions of satisfaction and fairness. Additionally, the results indicate that Circle Sentencing as applied in this community is effective in significantly reducing the likelihood of recidivism. These findings suggest that Circle Sentencing may be a useful restorative justice alternative to more traditional approaches in cases of domestic violence, and that it may be worthy of expansion in accordance with efforts to standardize the practice across jurisdictions (Villettaz et al., 2015). More rigorous research is needed which would allow for the disentangling of the individual factors which may contribute to the perceived satisfaction and fairness of the Circle Sentencing process.

7.1 Limitations and Future Research Directions

The study has several limitations that must be acknowledged. For one, the review period of ten years could introduce certain biases in the research. For instance, it is possible that journals with more rigorous standards for

acceptance and publication were omitted from consideration. In addition, similar results were examined over a limited range of years. By using strict cutoffs for both acceptances and rejections, the research did not identify the impact of those studies that did not come into the consideration period; considering these studies could bring a significant change to the larger picture of anti-plagiarism efforts in higher education research. In addition, while it was found that a number of studies employed more robust scrutiny, the majority of works engaged in qualitative analyses of articles, resulting in a narrower scope for fruitful future inquiries. Future studies could explore similar longitudinal studies on different scholarly databases, journals, fields of research, or geographical locations; such investigations would serve to provide more broadly applicable best practices for editorial managers and publishers in preventing non-ethical conduct and enhancing quality control of research. In the same vein, individual journals could seek to replicate this study by undertaking their own similar scrutiny of acceptances and rejections, and the means by which such decisions came to fruition. More broadly, journals should consider developing and disseminating more robust ethical codes, including particular, rigid definitions of plagiarism and their prescribed acts of remediation. Forms of plagiarism could introduce ambiguity into disputes, providing editors and reviewers with opportunities for disparate interpretations of what constitutes non-ethical behavior.

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